

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

PETER J. HELFRICH, et al.,

Plaintiffs,

vs.

NEVADA BAR, et al.,

Defendants.

Case No. 2:12-cv-01399-LRH-PAL

**REPORT OF FINDINGS AND  
RECOMMENDATION**

(IFP App - Dkt. #1)

This matter is before the court on Plaintiff Peter J. Helfrich's Application to Proceed In Forma Pauperis (Dkt. #1) filed August 8, 2011. Plaintiff is proceeding in this action pro se, has requested authority pursuant to 28 U.S.C. § 1915 to proceed in forma pauperis, and submitted a complaint. This proceeding was referred to this court by Local Rule IB 1-9.

Plaintiff has submitted an incomplete Application to Proceed In Forma Pauperis. Plaintiff has not responded at all to Questions One or Two. Additionally, Plaintiff has not signed the Application; instead, Mr. Jerald L. Kendrick signed the application. Mr. Kendrick, who submitted a letter and Social Security benefit statement, states he is a paralegal in Pahrump who helped the Plaintiff prepare the pleadings. Mr. Kendrick has also submitted a letter along with a social security benefit statement in his own name, which the court directed the Clerk of Court to seal because it contained Mr. Kendrick's social security number and date of birth. *See* Letter (Dkt. #2). It is unclear whether the information contained in the Application pertains to the Plaintiff or Mr. Kendrick. Mr. Kendrick is not a named Plaintiff in the Complaint. Furthermore, the Complaint attempts to assert claims on behalf of Plaintiff Helfrich and "17 named others as a class." It is unclear whether the other seventeen individuals have agreed to be Plaintiffs, or whether Mr. Helfrich and Mr. Kendrick are attempting to file a class action on their behalf. If these individuals intend to be named Plaintiffs, they must each submit fully


1 completed applications to proceed in forma pauperis. The court cannot determine whether Plaintiff  
2 Helfrich or the other named Plaintiffs qualify to proceed *in forma pauperis*, and it will therefore be  
3 recommended that the Application be denied.

4 Finally, while a person may represent himself, a non-lawyer may not represent others. If Mr.  
5 Helfrich wants to file a lawsuit, he must prepare and sign all papers he files with the court. He may not  
6 bring a class action or an action on the behalf of others as a non lawyer. Additionally, Mr. Kendrick is  
7 not be permitted to engage in the unauthorized practice of law by purporting to represent or act on  
8 behalf of Mr. Helfrich or anyone else.

9 For the reasons stated,

10 **IT IS RECOMMENDED** that Plaintiff's Application to Proceed in Forma Pauperis (Dkt. #1)  
11 be DENIED.

12 Dated this 26th day of September, 2012.

13  
14   
15 PEGGY A. LEEN  
16 UNITED STATES MAGISTRATE JUDGE

17 **NOTICE**

18 These findings and recommendations are submitted to the United States District Judge assigned  
19 to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being  
20 served with these findings and recommendations, any party may file written objections with the court.  
21 Pursuant to Local Rule of Practice (LR) IB 3-2(a), any party wishing to object to the findings and  
22 recommendations of a magistrate judge shall file and serve *specific written objections* together with  
23 points and authorities in support of those objections, within fourteen days of the date of service of the  
24 findings and recommendations. The document should be captioned "Objections to Magistrate Judge's  
25 Findings and Recommendations." The parties are advised that failure to file objections within the  
26 specified time may waive the right to appeal the District Court's Order. *Martinez v. Ylst*, 951 F.2d 1153  
27 (9th Cir. 1991). The points and authorities filed in support of the specific written objections are subject  
28 to the page limitations found in LR 7-4.